

**CONTROLLING OFFICER'S REPLY TO
INITIAL WRITTEN QUESTION**

DEVB(PL)119

Question Serial No.

Head : 82 Buildings Department Subhead (No. & title) :

0740

Programme : Buildings and Building Works

Controlling Officer : Director of Buildings

Director of Bureau : Secretary for Development

Question :

Regarding the operation of the Joint Office (JO) with the Food and Environmental Hygiene Department, will the Buildings Department provide:

- (a) the number of water seepage cases in existing buildings received by the JO, the number of cases with investigation commenced, the number of cases completed / concluded, the number of cases with seepage source identified, the number of Nuisance Notices issued and the number of applications made to the Court for granting Nuisance Orders. Please list the figures for the past three years by District Council constituency.
- (b) the average time required between the receipt of complaints and the identification of seepage source; and for the prosecution cases, the average time required between the identification of seepage source and the instigation of prosecution.
- (c) the number of cases that require the following time spans between the receipt of complaints and the completion/conclusion of the cases:

60 days or below;

61 days to 120 days;

121 days to 180 days;

181 days to 240 days; and

241 days or above.

Asked by : Hon. LI Fung-ying

Reply :

Water seepage in private premises is primarily a matter of building management and maintenance for property owners. However, if the problem of water seepage causes public health nuisance, building structural safety risks or wastage of water, the Government will consider intervention by exercising the relevant statutory powers. Based on this principle, the Food and Environmental Hygiene Department and the Buildings Department have established the Joint Office (JO) as a pilot programme since 2006 to assist members of the public to tackle some of the water seepage problems.

- (a) The relevant statistics of water seepage cases received and handled by the JO are tabulated in Tables 1 and 2 below:

Table 1: Statistics on Case Processed

District Council	No. of cases received ^{Note 1}			No. of cases handled (No. of cases screened out ^{Note 2})			No. of cases with source identified		
	2008	2009	2010	2008	2009	2010	2008	2009	2010
Central & Western	1 085	1 014	1 338	736 (241)	952 (449)	1 109 (298)	204	304	142
Wanchai	1 071	874	908	723 (415)	876 (523)	819 (573)	120	214	127
Southern	924	905	1 132	512 (95)	781 (120)	844 (160)	182	356	248
Eastern	2 555	2 761	3 169	1 501 (732)	2 496 (1 223)	3 912 (2 478)	282	667	579
Kwun Tong	1 309	1 494	1 675	959 (552)	1 204 (654)	1 660 (741)	152	143	323
Wong Tai Sin	672	763	980	351 (147)	358 (127)	419 (139)	61	49	87
Islands	185	103	121	144 (45)	108 (47)	95 (63)	24	19	20
Yuen Long	519	509	613	504 (272)	499 (230)	426 (183)	105	150	73
North	444	564	663	356 (154)	366 (89)	469 (92)	95	92	140
Shatin	1 406	1 509	2 003	934 (360)	962 (315)	1 490 (730)	224	240	213
Sai Kung	520	518	695	644 (178)	498 (239)	668 (378)	124	123	98
Tai Po	594	626	752	348 (173)	674 (302)	635 (346)	102	174	122
Kowloon City	2 641	2 637	3 116	2 354 (1 212)	2 346 (1 325)	2 892 (1 600)	586	359	381
Sham Shui Po	1 754	1 640	1 826	1 666 (525)	1 420 (588)	1 704 (742)	587	396	386
Yau Tsim Mong	2 249	2 298	2 441	1 931 (858)	1 805 (619)	1 853 (597)	653	722	791
Kwai Tsing	996	930	1 188	714	654	1 148	222	181	357

				(295)	(246)	(516)			
Tsuen Wan	1 306	1 093	1 330	1 159 (466)	685 (264)	939 (417)	428	258	324
Tuen Mun	1 487	1 531	1 767	1 172 (424)	1 553 (755)	1 889 (998)	325	366	326
Total	21 717	21 769	25 717	16 708 (7 144)	18 237 (8 115)	22 971 (11 051)	4 476	4 813	4 737

Table 2: Statistics on Follow-up Actions

District Council	No. of Nuisance Notices issued			No. of Nuisance Orders granted by Court		
	2008	2009	2010	2008	2009	2010
Central & Western	112	297	91	0	0	0
Wanchai	80	166	50	1	0	4
Southern	95	216	177	0	0	0
Eastern	139	485	650	1	4	7
Kwun Tong	122	142	269	0	3	0
Wong Tai Sin	52	49	42	0	2	1
Islands	4	32	15	0	0	1
Yuen Long	55	90	121	0	1	0
North	63	83	81	0	1	0
Shatin	197	362	216	0	6	3
Sai Kung	54	132	104	0	0	0
Tai Po	67	108	151	2	4	4
Kowloon City	301	271	321	2	5	6
Sham Shui Po	174	159	130	1	0	2
Yau Tsim Mong	199	282	329	0	1	1
Kwai Tsing	74	156	202	0	0	1
Tsuen Wan	185	403	295	1	1	8
Tuen Mun	128	148	135	0	1	2
Total	2101	3581	3379	8	29	40

Note 1: As there is a lapse of time between receipt of a complaint and completion of processing of a case, the number of complaints processed in a year does not necessarily correspond to the number of complaints received in that year.

Note 2: The JO has prescribed standards and requirements for the investigation of sources of water seepage. Some water seepage complaints received do not involve public health nuisance, building structural safety risks or wastage of water, and hence do not fall within the scope of follow-up action under the statutory authority of the JO. There are also cases where the complaints are falsified, the seepage has stopped or the complainants have withdrawn their complaints, etc. Such cases will be screened out by the JO, and investigation into the sources of water seepage will not be conducted for such cases.

(b) & (c) Identification of the possible source of water seepage is not a straightforward matter and is often complicated by the fact that there may be more than one possible source of water seepage in a single case. As a result, a series of non-destructive tests have to be performed to establish the source of seepage and this will take much time and patience of all parties, especially those of the owners/occupiers concerned. Cooperation of the owners/occupiers involved is critical for JO staff to enter their premises and conduct multiple tests to identify the source of water seepage. With the full cooperation of the parties concerned, an investigation can normally be concluded within around 130 days (90 working days). However, in many cases, repeated arrangements have to be made with the complainants on timing for site inspections and consents of respondents have to be sought to allow multiple inspections inside the premises. It will take an even longer time if the JO has to apply to the Court for a warrant to gain entry into the concerned premises for investigation. Based on our experience, such cases generally each takes about 170 days from the receipt of a complaint to the completion of an investigation. The JO does not keep detailed breakdown of cases between the receipt of complaints and the completion/conclusion of the cases, or between the identification of seepage source and the instigation of prosecution.

Signature _____

Name in block letters AU Choi-kai

Post Title Director of Buildings

Date 17.3.2011